

# Exhibit A13

1 SGT GARY WATTS: Um. Sergeant Gary Watts.  
2 SFPD Homicide, Officer-Involved Shooting  
3 Investigation case number [REDACTED] [REDACTED] [REDACTED] Present in  
4 the room to my right and around the table is--  
5 SGT BONNER: Uh, Inspector Bonner, star  
6 number 10, um, 99, assigned to Homicide Detail.  
7 DAI DARYL JACKSON: Daryl Jackson, star 76, DA  
8 Investigations.  
9 ADA CHERYL WILLS: Cheryl Wills. Assistant  
10 District Attorney.  
11 POA ATTY REP SCOTT BURRELL: Scott Burrell  
12 here, POA.  
13 SGT WATTS: Okay. If I can then get your  
14 full name.  
15 OFFICER STEPHAN PEREZ: Um, Officer Stephan  
16 Perez.  
17 SGT WATTS: And [UNINTELLIGIBLE] your star  
18 number?  
19 OFFICER PEREZ: 4183.  
20 SGT WATTS: Date of birth?  
21 OFFICER PEREZ: [REDACTED].  
22 SGT WATTS: And date of entry into the  
23 Department.  
24 OFFICER PEREZ: Uh, [REDACTED].  
25 SGT WATTS: And your current assignment.

1 OFFICER PEREZ: Uh, Mission Station.  
2 SGT WATTS: And how long at Mission?  
3 OFFICER PEREZ: Um. I think it's been about 12  
4 years.  
5 SGT WATTS: Okay. And your current shift?  
6 OFFICER PEREZ: Um. 07 to 17.  
7 SGT WATTS: And uniform?  
8 OFFICER PEREZ: Uniform. Detailed to the  
9 School Resource Office.  
10 SGT WATTS: Any partner?  
11 OFFICER PEREZ: No.  
12 SGT WATTS: And your call sign yesterday.  
13 OFFICER PEREZ: 3 David 27.  
14 SGT WATTS: And the firearm that you carry?  
15 OFFICER PEREZ: Uh, 40 caliber.  
16 SGT WATTS: That's a SIG, right?  
17 OFFICER PEREZ: SIG, yes.  
18 SGT WATTS: 226?  
19 OFFICER PEREZ: 22--yeah, 226.  
20 SGT WATTS: You carry any--any secondary  
21 firearm?  
22 OFFICER PEREZ: No.  
23 SGT WATTS: And were you in a marked  
24 vehicle?  
25 OFFICER PEREZ: Yes.

1 SGT WATTS: Crown Vic?  
2 OFFICER PEREZ: Uh, yes.  
3 SGT WATTS: Any passengers yesterday?  
4 OFFICER PEREZ: No.  
5 SGT WATTS: Okay. It's been so we're here  
6 today to talk about the, uh, Officer-Involved  
7 Shooting, happened at, uh, Shotwell between 18th  
8 and 19th. Um. I'd like you to--start off by just--  
9 -telling everybody in the room what you heard and  
10 what you saw and then after this we're gonna ask  
11 you some questions around the--  
12 OFFICER PEREZ: Okay.  
13 SGT WATTS: Around the table. Okay. So  
14 why don't you go ahead and start off with this?  
15 OFFICER PEREZ: So we were responding to a call  
16 of a--uh, a man with a--with a knife. Um, wearing  
17 a red--a red soccer jersey, I believe. He was  
18 walking up and down on Shotwell. Uh, heard the  
19 Sergeant say that he was--he had been directed by  
20 some member of the HOT team, that the man was up--  
21 up Shotwell towards, uh, 19th. And I saw him--I  
22 was actually coming down 18th, approaching  
23 Shotwell, and I saw him going that direction. So  
24 I--I went around traffic and I followed them. I  
25 was the third car to pull up--um. I was driving a

1 little slower than them because I was trying to  
2 look, make sure that he didn't get by anybody, that  
3 he didn't pass us, whatever. Um. Then I saw the--  
4 the vehicles in front of me stop. Um. And the  
5 officers exit. At the time I didn't know what  
6 officers were exiting but--um--as I approached, I  
7 saw--Officer Mellone with the Less Than Lethal.  
8 And he was command--uh, yelling to the person to  
9 get on the ground, lay on the ground. Um, and I  
10 saw the--the man, um, with the red soccer jersey,  
11 I--red shirt, whatever it was. Sitting down on the  
12 ground on the sidewalk with his back up against the  
13 building. And a big knife in his right hand. And  
14 he was laying there--wasn't responding to any of  
15 the commands and didn't look at anybody. And then--  
16 -um--I just kept hearing the commands and then, uh--  
17 -that's when I heard the--the--Officer Mellone  
18 shoot--shoot the Less Than Lethal. Um. As I was  
19 approaching be--I was--Hispanic speaker, I saw that  
20 he was a Hispanic man so I wanted--I wanted to--to  
21 yell out commands in Spanish and tell him to drop  
22 the knife in Spanish. Um. And as I was walking  
23 up, um, I don't know. Because of the situation, I  
24 kind of lost the word for "drop the knife" but I  
25 re--I remembered it after so I--um, I just started

1 yelling, you know, [SPANISH] like drop--or  
2 [SPANISH]. Drop the knife. Let it go. You know.  
3 I was just trying to yell it as much as I could  
4 but--got no reaction from him and then--after the  
5 Less Than Lethal rounds--I mean, after the Less  
6 Than Lethal rounds were--hit the--hit the subject,  
7 I don't know if it was--a--couple seconds maybe?  
8 He just--jumped up and--went a bee-line straight  
9 towards the Sergeant who was--he was like they were  
10 triangulated. So Officer Mellone was--in front of  
11 him. Uh, the Sergeant was at an angle. And after  
12 hitting him with the--the Less Than Lethal rounds,  
13 he just--he ran straight towards the--the Sergeant.  
14 And I was behind them and at--at a weird angle so I  
15 was--I mean, I didn't pull out my firearm. I  
16 would--they were in front of me so I was kind of  
17 like--um--trying to think.

18 SGT WATTS: Take your time.

19 OFFICER PEREZ: Yeah, after the shots were  
20 fired and the--uh, the--the--they moved out of the  
21 way, that's when I walked--I walked up and I saw  
22 that the--that he was down. The man was still  
23 holding the knife in his right hand. Um. The--you  
24 know, the officers were calling for other units to  
25 come. And--and during the broadcast--the--Sergeant

1 Steger--I looked at him and I was like, you know,  
2 but you gotta take the knife out of his hand.  
3 Because I didn't--I didn't know at the time if he  
4 was--what had happened, if he was still alive. So  
5 Sergeant Steger stepped on the guy's--I guess wrist  
6 or--forearm with his foot. And I went around. I  
7 put a glove on and I take the knife out of his  
8 hand, I--I do it like maybe 4 or 5 feet away. And,  
9 uh, kind of just stood by until medics came. We  
10 told them the scene was secure. The medics were  
11 already kind of standing on the corner because they  
12 heard the shots. And they--came and--took over.

13 SGT WATTS: When you approached the, uh,  
14 the subject, was he--did he--he was  
15 [UNINTELLIGIBLE]?

16 OFFICER PEREZ: He was sitting. He was in a  
17 seated position with his back against wall.

18 SGT WATTS: Was he--was the subject awake?

19 OFFICER PEREZ: Yeah. He was kind of--looked  
20 like he was kind of staring into--something. I  
21 don't know. I don't know, he--I don't know what  
22 his mental state was at the time but he was like--  
23 he was not responding to the commands.

24 SGT WATTS: Could you see the knife--

25 OFFICER PEREZ: Yeah.

1 SGT WATTS: In the subject's hand?  
2 OFFICER PEREZ: Oh. It's a big knife. He was-  
3 -he was clearly, it was at his side like this.  
4 Just standing up.  
5 SGT WATTS: And when you spoke Spanish to  
6 the, uh, subject, was that before Officer Mellone  
7 started using Less Lethal, or was it during?  
8 OFFICER PEREZ: I--I think it was during and  
9 immediately after.  
10 SGT WATTS: So it was--it wasn't before he  
11 started using Less Lethal?  
12 OFFICER PEREZ: It might have been. I was just  
13 kind of verbally--what I--I was trying to get in my  
14 head. I remember saying, trying to get the word  
15 and then I spit it out like it might have been  
16 during but it was definitely, um, at that time.  
17 SGT WATTS: During the time when Less--Less  
18 Lethal--  
19 OFFICER PEREZ: Yeah.  
20 SGT WATTS: Okay.  
21 OFFICER PEREZ: Yeah.  
22 SGT WATTS: Was there any response from the  
23 subject?  
24 OFFICER PEREZ: No.  
25 SGT WATTS: When Mellone and you--were



1 giving commands in Spanish and English, did the  
2 subject ever look at any of the officers?

3 OFFICER PEREZ: No.

4 SGT WATTS: Did you have a clear and  
5 unobstructed view?

6 OFFICER PEREZ: Um, yeah. I mean, I was--I--I--  
7 -as I was walking up, it was pretty clear. I was  
8 looking over between two cars, I think. Uh, they  
9 would have see--

10 SGT WATTS: Can you estimate the distance  
11 between the subject and Officer Mellone and  
12 Sergeant Steger?

13 OFFICER PEREZ: Um. From Officer Mellone I'd--  
14 between 5, maybe 10 yards, I would say is--probably  
15 somewhere between there.

16 SGT WATTS: Did the subject follow any of  
17 the commands that were given?

18 OFFICER PEREZ: No.

19 SGT WATTS: After the subject was hit, did  
20 you see the impact of the bean bags on the subject?

21 OFFICER PEREZ: Um. I don't believe so. I  
22 just--heard--I heard the shotgun, um, the Less Than  
23 Lethal. And I just kind of like, whoa. You know,  
24 and then I just--that's all I did. I didn't see  
25 any impact on him or where it hit him.

1 SGT WATTS: Do you remember how many times  
2 Less Lethal was used?  
3 OFFICER PEREZ: I think I heard 4.  
4 SGT WATTS: Was it during or was it after  
5 the fourth shot that the subject got up and  
6 approached Officer--  
7 OFFICER PEREZ: That after.  
8 SGT WATTS: It was after.  
9 OFFICER PEREZ: [UNINTELLIGIBLE] it was like a  
10 delayed reaction or something like that, I think.  
11 I think he took a second to process or something.  
12 I don't know, like--  
13 SGT WATTS: Well, when the subject got up--  
14 how did he approach? You said he--he ran. You  
15 said he ran towards--  
16 OFFICER PEREZ: Yeah.  
17 SGT WATTS: The officers.  
18 OFFICER PEREZ: Yeah.  
19 SGT WATTS: How did he run? Did he--did  
20 he--  
21 OFFICER PEREZ: Um--  
22 SGT WATTS: Was he charging? Was there any  
23 sign of maybe aggression on his face? Was--was the  
24 knife raised?  
25 OFFICER PEREZ: It wasn't a--uh, let's see.

1 Sergeant Steger was--maybe--maybe 5 yards away at  
2 an angle. So--he kind of just in like in one  
3 motion just kind of like got up and just went  
4 straight towards him. You know, had--the knife was  
5 in his right hand. And he just kind of just got up  
6 from a seated position and he just went, like  
7 straight at him.

8 SGT WATTS: So you motioned just then with  
9 your right hand.

10 OFFICER PEREZ: Yeah, yeah.

11 SGT WATTS: That it was almost at--

12 OFFICER PEREZ: Yes, he had--

13 SGT WATTS: Held to the ground.

14 OFFICER PEREZ: It--yes.

15 SGT WATTS: So can I--take it from that,  
16 that the knife was raised?

17 OFFICER PEREZ: Yes.

18 SGT WATTS: And it wasn't down by his side?

19 OFFICER PEREZ: No, it wasn't down by his side.

20 SGT WATTS: Were you in fear for your own  
21 life or the life of other officers that you

22 [UNINTELLIGIBLE]--

23 OFFICER PEREZ: I was definitely in fear of  
24 life of, uh, Sergeant Steger.

25 SGT WATTS: Did you ever pull your

1 department firearm out of the holster?

2 OFFICER PEREZ: No.

3 SGT WATTS: And after the subject was hit,  
4 was struck and fell to the ground, you and Sergeant  
5 Steger disarmed--

6 OFFICER PEREZ: Yeah.

7 SGT WATTS: The subject of the knife. What  
8 did you do after that?

9 OFFICER PEREZ: Um.

10 SGT WATTS: Did you do any aid? Did you  
11 call for back-up? Did you call for an ambulance?

12 OFFICER PEREZ: The--Officer Mellone was  
13 broadcasting, calling for the ambulance and--and--  
14 and he was calling for other units. Um, as soon as  
15 I got the knife away from the guy and I--and I had  
16 it down, I, uh, made contact with the fire--  
17 firefighters were on the corner already. On 19th  
18 and Shotwell.

19 SGT WATTS: All right.

20 OFFICER PEREZ: And I--and they were saying,  
21 "Is it safe? Is the scene safe?" And I was like,  
22 "The scene's safe. The scene is safe. Come on."

23 SGT WATTS: [UNINTELLIGIBLE]

24 SGT BONNER: Um. You say you had twelve  
25 years' experience?

1 OFFICER PEREZ: No. Uh, it's coming up on 15.

2 Twelve years at the Mission.

3 SGT BONNER: Okay.

4 OFFICER PEREZ: Yeah.

5 SGT BONNER: But, uh, overall--

6 OFFICER PEREZ: I've been since '01 so I've  
7 been on the street since 20--2002--2002 so little  
8 over 14 years on the street.

9 SGT BONNER: Yeah. So. That--and--and, uh,  
10 you've had, uh, contact with, uh, individuals with,  
11 uh, as we like to call it, altered states or--

12 OFFICER PEREZ: Yeah.

13 SGT BONNER: Under the influence of it. So  
14 it'd be easy for you, based on your experience and  
15 training, to determine if somebody was--not dialed  
16 in.

17 OFFICER PEREZ: Yes.

18 SGT BONNER: And--and did this person  
19 appear, the--did the subject in this case appear to  
20 be of, uh, one of those two--

21 OFFICER PEREZ: Yes.

22 SGT BONNER: Uh, okay, just because he  
23 didn't respond, eye contact would particularly  
24 raise the, uh, the hairs and you determined he was--

25 -

1 OFFICER PEREZ: Um, I mean, he didn't--seem to  
2 react to having two police officers yelling at him  
3 with, you know, with one with the Less Than Lethal  
4 and the one with the, you know. It just--yelling  
5 at him and I started yelling at him and he didn't  
6 move and then he got hit with the--with the--with  
7 the bean bag and he still didn't react, it's like--  
8 I--and he was kind of like starting out so that's  
9 the indication for me, I figured he's--not--he's  
10 not all there, you know--

11 SGT BONNER: Yeah.

12 OFFICER PEREZ: Something's goin' on.

13 SGT BONNER: Right. And based on--now, uh,  
14 having gone to the scene, um, have you been done--  
15 any patrol in that area?

16 OFFICER PEREZ: Yeah.

17 SGT BONNER: Probably, too--

18 OFFICER PEREZ: Yeah.

19 SGT BONNER: So you're familiar with that  
20 area--

21 OFFICER PEREZ: Yeah.

22 SGT BONNER: 400 block of Shotwell.

23 OFFICER PEREZ: Yes. Uh--

24 SGT BONNER: Now, uh, the sidewalks are kind  
25 of broad. Larger than--than normal, so forth.

1 OFFICER PEREZ: Yeah.

2 SGT BONNER: Did this all take place--were  
3 you guys in the street while he was on the sidewalk  
4 or--vice versa--what?

5 OFFICER PEREZ: The two officers were on the  
6 sidewalk. I was on the street.

7 SGT BONNER: Okay.

8 OFFICER PEREZ: And the individual was on the  
9 sidewalk.

10 SGT BONNER: Okay. And, um, in--and--and  
11 the reason why you didn't draw your weapon is  
12 because you don't think that you were in a tactical  
13 position to--to--to be able to do it.

14 OFFICER PEREZ: I was in a horrible position.  
15 I was behind the Sergeant and Officer Mellone. If  
16 I went this way, I would have been in the line of  
17 fire. If I went behind--if I pulled it out, I was--  
18 behind the Sergeant so I--I was in a horrible  
19 position. That's why I was trying to find a better  
20 spot to be at. But it--it happened so quick, I  
21 was--didn't have an opportunity.

22 SGT BONNER: And--and--I got to see the  
23 knife and it was, uh, fairly large. It looked like  
24 it was--in excess of eight inches.

25 OFFICER PEREZ: Yes.

1 SGT BONNER: Looked like a regular chef's  
2 knife in--in a kitchen, that' fairly sharp.  
3 OFFICER PEREZ: Yes.  
4 SGT BONNER: Um. When he was, uh, seated  
5 there, he was--like--what--was he--was he sitting  
6 on--on his butt and legs extended out?  
7 OFFICER PEREZ: Yes.  
8 SGT BONNER: And he was holdin' it with the  
9 knife in a--  
10 OFFICER PEREZ: That's right.  
11 SGT BONNER: Upright--  
12 OFFICER PEREZ: Yeah.  
13 SGT BONNER: Uh, position.  
14 OFFICER PEREZ: Yeah.  
15 SGT BONNER: Um. On--in his right hand.  
16 OFFICER PEREZ: Yes.  
17 SGT BONNER: And the transition from him  
18 getting up and charging at Sergeant Steger, like  
19 you said, um, the distance between him and Sergeant  
20 were--what--what was that again?  
21 OFFICER PEREZ: I think like 5 yards. Maybe a  
22 little bit more. But--maybe--around there. Around  
23 5 yards.  
24 SGT BONNER: And from him--from a seated  
25 position to him getting up and charging, if you can



1 remember, how much time do you think transpired?

2 OFFICER PEREZ: I mean--uh, this guy, honestly,  
3 he's not even asked to do anything like that but it  
4 was just one motion and it's kind of like--he  
5 didn't stop. It was like he took his time getting  
6 up slowly. It was kind of like he got up and just  
7 went right--right at--

8 SGT BONNER: Do you think that--that the  
9 deployment of the ERIW irritated him and--and  
10 that's what--

11 OFFICER PEREZ: Uh--

12 SGT BONNER: Caused him to get up?

13 OFFICER PEREZ: I don't know because--like I  
14 said, it was like a delayed reaction. Like a  
15 couple seconds. I don't even--couple moments after  
16 he got hit with the ERIW that he just--got up so--

17 SGT BONNER: Okay. And was this guy a--a  
18 big guy? I never did--was he a--

19 OFFICER PEREZ: Oh. I mean, I only saw him  
20 sitting down there and then when he was laying  
21 down, he probably looked around maybe 5'6", 5'7".  
22 I don't know.

23 SGT BONNER: What about his weight?

24 OFFICER PEREZ: Uh, maybe 160. Or--on there.

25 SGT BONNER: Okay. All right.

1           OFFICER PEREZ: Older Hispanic guy. Probably  
2 30 to 40. I don't know.  
3           SGT BONNER: Okay.  
4           DAI JACKSON: You should--  
5           SGT BONNER: Yeah.  
6           DAI JACKSON: Hey, Steve.  
7           OFFICER PEREZ: Yeah.  
8           DAI JACKSON: Uh, couple few questions for  
9 you. I'm a take this--let's go back. Um. What--  
10 do you know the mag--magazine capacity of your  
11 firearm?  
12          OFFICER PEREZ: 12. With one in the chamber.  
13          DAI JACKSON: 12, one in the chamber?  
14          OFFICER PEREZ: Yeah.  
15          DAI JACKSON: Okay. Um. I know that you're  
16 on duty in the School Resource Officer. What's  
17 your uniform today?  
18          OFFICER PEREZ: Regular patrol uniform.  
19          DAI JACKSON: Okay. Patches on both  
20 shoulders?  
21          OFFICER PEREZ: Yes.  
22          DAI JACKSON: Okay. Anything else  
23 identifying yourself as a police officer on the  
24 uniform itself?  
25          OFFICER PEREZ: Just the standard regular

1 police uniform. Nothing special about it. Ba--uh,  
2 badge, you know.

3 DAI JACKSON: Okay.

4 OFFICER PEREZ: That's it.

5 DAI JACKSON: All right. Um. Prior to this  
6 call, what were you doing?

7 OFFICER PEREZ: I was at another call. Um. It  
8 was--yesterday was short so--usually we're working  
9 the School Resource Officer but the Lieutenant told  
10 us, you know, "Short today. You guys can help out  
11 pick up some runs, you know." So we were doing  
12 that. We were handling runs. I had just finished  
13 handling a run on, uh--I think it was 18th and  
14 Dearborn. There's these guys that were walking  
15 around, possibly looking at burglarized vehicles or  
16 homes or something like that so I was driving up  
17 around that street. That's not too far from 18th  
18 and Shotwell so I had actually just seen Sergeant  
19 Steger drive by me as I'm going down Dearborn. Um.  
20 And then I came around to just check the next block  
21 over and that's when the call came out. And, uh,  
22 uh, I heard Sergeant Steger and these guys going.  
23 You know, we're short, so I'm gonna back them up.  
24 Um. We decide, just went straight down 18th and  
25 responded to this call.

1           DAI JACKSON: Okay. And what was going to be  
2 my next question, was the route you took, so I'm  
3 good [UNINTELLIGIBLE] that form.

4           OFFICER PEREZ: Yeah.

5           DAI JACKSON: Now I'm gonna ask you something  
6 else. This is something before. Have you been  
7 involved in the, uh--uh, CIT training, I believe  
8 it's called?

9           OFFICER PEREZ: um.

10          DAI JACKSON: Critical Intervention Training.

11          OFFICER PEREZ: I--I'm pretty sure I was. I--  
12 that's the--the week-long training, I think, right  
13 where they--um--it was awhile ago but I was--I was.  
14 I think it was being by--in--8 or 10 years ago I  
15 went?

16          DAI JACKSON: Okay. That was the next  
17 question. For 8 to 10 years ago?

18          OFFICER PEREZ: Yeah.

19          DAI JACKSON: Okay. Um. When--as the third--  
20 -as the third officer on the scene, as you exit  
21 your vehicle, how--how far in front of you was  
22 Sergeant Steger and the other officer?

23          OFFICER PEREZ: Um. Maybe like--10 yards in  
24 front of me?

25          DAI JACKSON: Okay. Um. How far from the

1 subject was, uh, Officer Steger or the, uh,  
2 secondary officer when you started giving commands?

3 OFFICER PEREZ: Um.

4 DAI JACKSON: Approximately.

5 OFFICER PEREZ: Approximately about 10 yards  
6 away.

7 DAI JACKSON: Okay.

8 OFFICER PEREZ: Maybe--maybe 10 to 12 yards  
9 away. As they were walkin' up I think they were  
10 already like giving commands.

11 DAI JACKSON: Okay.

12 OFFICER PEREZ: Yeah, I mean I--I was third one  
13 up and I just heard them--you know, yelling at the  
14 guy. I didn't even see them at that time. I was  
15 walking up and then I would go--

16 DAI JACKSON: Okay. Um. Can you estimate  
17 for me, then, the distance, um, from the subject,  
18 were they when the actual first--when you believe  
19 the first round from the ERIW was fired?

20 OFFICER PEREZ: That distance from--

21 DAI JACKSON: From the subject.

22 OFFICER PEREZ: From the subject to the  
23 officer?

24 DAI JACKSON: Yeah, to the officer.

25 OFFICER PEREZ: Somewhere between 5 and 10

1 yards, maybe 7, 8 yards. I'm not sure.

2 DAI JACKSON: Okay. After, uh, the--the Less  
3 Lethals were--were utilized, what was the distance  
4 in your approximation was the subject, once he got  
5 up, when the first initial gunshot was fired?

6 OFFICER PEREZ: To--to the Sergeant?

7 DAI JACKSON: To the Sergeant.

8 OFFICER PEREZ: 10 feet.

9 DAI JACKSON: 10 feet?

10 OFFICER PEREZ: [UNINTELLIGIBLE] that much,  
11 yeah.

12 DAI JACKSON: Did you--did you notice and did  
13 the Sergeant have to take a step backward as he  
14 began to fire--discharge his weapon?

15 OFFICER PEREZ: Um. I believe he did. I  
16 believe--I believe as he was shooting he was moving  
17 back but I'm not 100 percent sure.

18 DAI JACKSON: Okay. Well, but it's a  
19 possibility.

20 OFFICER PEREZ: Yeah. I know it--uh--yeah, I  
21 know his momentum carried him that--to the--to--to  
22 my left, I think it was. I--but, yeah. He--he was  
23 moving as-- [UNINTELLIGIBLE] I think.

24 DAI JACKSON: Okay.

25 OFFICER PEREZ: From what I could--you know.

1           DAI JACKSON:    Um.  You said something.  You  
2 said that just when the subject got up, he started-  
3 -he--uh--run.  Um.  Define what your definition of  
4 run is.

5           OFFICER PEREZ: I wouldn't say run like a  
6 sprint, like--

7           DAI JACKSON:    Okay.

8           OFFICER PEREZ: Like, like that but just kind  
9 of like, he never stopped.  He never--it was never  
10 like a--a--like, uh, he took his time to get up or  
11 anything like that.  He was kind of like he got up  
12 and, uh, you know, I'm comin' at you, like that.  
13 It just--one movement.

14          DAI JACKSON:    Okay.

15          OFFICER PEREZ: So it wasn't a lot of time to--  
16 do anything else.

17          DAI JACKSON:    Okay.  And--and I know again, I  
18 know you were off to the right of the off--of the  
19 Sergeant and--

20          OFFICER PEREZ: Yeah.

21          DAI JACKSON:    The other officer.  Based upon  
22 your location--how many steps, if any, uh, did this  
23 person get before that first shot was fired?  From  
24 the handgun?

25          OFFICER PEREZ: Maybe two.

1 DAI JACKSON: Okay. That's it for now for  
2 me.  
3 ADA WILLS: Hi.  
4 OFFICER PEREZ: Hi.  
5 ADA WILLS: Um. So I'm--I'm less familiar  
6 with the area so I'm gonna--  
7 OFFICER PEREZ: Okay.  
8 ADA WILLS: Ask you a little bit more of  
9 your initial approach. When you came down 18th,  
10 um, were you going towards Folsom or you--  
11 OFFICER PEREZ: Towards Folsom.  
12 ADA WILLS: Yeah, towards Folsom. So you  
13 made a right onto Shotwell.  
14 OFFICER PEREZ: Yes.  
15 ADA WILLS: Um. And you were the--which--  
16 OFFICER PEREZ: Third, yeah.  
17 ADA WILLS: In line of the car.  
18 OFFICER PEREZ: Third vehicle.  
19 ADA WILLS: Third vehicle. When you first  
20 turned down Shotwell, did you see the individual  
21 that was described when your turn--  
22 OFFICER PEREZ: No, not when I first turned.  
23 I--I know--I'm familiar with the area so I know  
24 there's a lot of like homeless encampments and  
25 stuff like that so I was--purposely driving a



1 little slower and looking to my left and my right,  
2 making sure if maybe they didn't see me past, you  
3 know, past him by so it's kind of--just looking.

4 ADA WILLS: So when was the very first time  
5 you saw the individual?

6 OFFICER PEREZ: When I got out of the car and I  
7 started walking up. Um. And I heard the yelling,  
8 I knew where it was coming from. That's when I  
9 first saw him.

10 ADA WILLS: And when you first saw him, was  
11 he standing or sitting?

12 OFFICER PEREZ: He was sitting down.

13 ADA WILLS: He was already sitting.

14 OFFICER PEREZ: He was--yeah. He was seated.

15 ADA WILLS: Um, and you--um, Inspector  
16 Bonner asked you, um, how the individual was--was  
17 holding the knife when you first saw him. Um, and  
18 you in--indicated, uh, it was upright but your hand  
19 gesture was more as a--extended. So could you  
20 [UNINTELLIGIBLE]--

21 OFFICER PEREZ: When he was sitting, he was,  
22 like, on the ground so his feet were extended out.  
23 He kind of just had the--the--the knife in his hand  
24 like this.

25 ADA WILLS: So it was basically--

1 OFFICER PEREZ: He was--  
2 ADA WILLS: Like a knife [UNINTELLIGIBLE]--  
3 OFFICER PEREZ: Yeah.  
4 ADA WILLS: Over so?  
5 OFFICER PEREZ: Yeah. [SIGH]  
6 ADA WILLS: Um. You said that he saw  
7 Officer Mellone ERIW. Um. At the approach, could  
8 you tell me what Off--uh, Sergeant Steger was  
9 doing?  
10 OFFICER PEREZ: I don't--I mean--trying to  
11 remember. I think he might have had his hand on  
12 his weapon but I don't know if he had it out at the  
13 time. When I--saw him.  
14 ADA WILLS: Um, do you recall at what point  
15 in the interaction Sergeant Steger may have pulled  
16 his weapon?  
17 OFFICER PEREZ: Like I couldn't see--  
18 ADA WILLS: Only if you know.  
19 OFFICER PEREZ: I couldn't see. I was behind  
20 them. I was at a bad angle.  
21 ADA WILLS: Do you recall how many  
22 times==uh, you indicated the ERIW was deployed four  
23 times. Um. What about Sergeant Steger? Do you  
24 recall how many times he fired?  
25 OFFICER PEREZ: I don't. I don't remember.

1           ADA WILLS:        I--you indicated, well, um, and  
2 I'm just trying to get this set-up on the street  
3 for myself? Um. The person that was closest to  
4 the--the building line, um, in terms of officers,  
5 who was that?

6           OFFICER PEREZ: Officer Mellone.

7           ADA WILLS:        Um, and then about how far from  
8 Officer Mellone was Sergeant Steger?

9           OFFICER PEREZ: He was to his right. Uh.  
10 Maybe--maybe six feet to his right at an angle.

11          ADA WILLS:        Was Officer Mellone making the  
12 commands, um, as he approached or once he was in a  
13 stationary position?

14          OFFICER PEREZ: I think as he approached. I'm  
15 not pos--I--I just heard a lot of yelling. I'm not  
16 positive.

17          ADA WILLS:        Um, and then how far were you  
18 from Sergeant Steger and Officer Mellone?

19          OFFICER PEREZ: Um. Sergeant Steger was on one  
20 side of a--of a parked vehicle. I was behind that  
21 parked vehicle on the street, little bit, so maybe,  
22 I don't know, 8 feet from him. And then Ser--I  
23 mean, Officer Mellone was up against the building  
24 line so--maybe--20 feet away from him. Or more.  
25 20? [SIGH]

1           ADA WILLS:       And during this--the incident,  
2 you remained basically on the street the entire  
3 time.  
4           OFFICER PEREZ: Um. Yeah.  
5           ADA WILLS:       Until you--then till you--  
6           OFFICER PEREZ: Until after, yeah--till--  
7           ADA WILLS:       Took it out--  
8           OFFICER PEREZ: Yeah, till the--yeah, I took it  
9 out of his hand. And kicked it.  
10          ADA WILLS:       Hold on a second.  
11          OFFICER PEREZ: Hm.  
12          DAI JACKSON:     Counsel, that--that is my--I  
13 neglected to do something. I need to ask these  
14 guys about it. Uh. Would you feel more  
15 comfortable--Steve, would you feel more comfortable  
16 putting--us getting a, um--uh--  
17          ADA WILLS:       Diagram?  
18          DAI JACKSON:     Not just a diagram but I'm--I'm  
19 thinking about the--can you help me out, fellahs.  
20 The global view of the street where you put--  
21          SGT WATTS:       GPS.  
22          ADA WILLS:       [UNINTELLIGIBLE]  
23          DAI JACKSON:     GPS satellite thing--  
24          POA ATTY REP BURRELL: Oh.  
25          DAI JACKSON:     And you Google--

1 POA ATTY REP BURRELL: Google map?  
2 DAI JACKSON: Google map. To mark where  
3 everybody was, would you--would--  
4 POA ATTY REP BURRELL: I would--  
5 DAI JACKSON: Let me see if I--  
6 [UNINTELLIGIBLE]  
7 ADA WILLS: Uh, I--the--I'll be honest with  
8 you. That's what I've pulled up on my phone--  
9 POA ATTY REP BURRELL: Oh, yeah.  
10 ADA WILLS: Just for me to understand the  
11 scene as--a little bit better for myself.  
12 POA ATTY REP BURRELL: Okay.  
13 ADA WILLS: Um. In terms of time, from the  
14 time that you first [NOISE] arrived at the scene?  
15 And exited your vehicle? Um. Until the time, uh,  
16 um, ERIW was deployed, how long do you think that  
17 was?  
18 OFFICER PEREZ: Not--not--not very long. I'm  
19 not sure how long but it wasn't very long.  
20 ADA WILLS: Uh, minutes, seconds.  
21 OFFICER PEREZ: Um. Let me see. As long as it  
22 took me to get my car to like up to where the--the  
23 scene was so--maybe--I mean, maybe a minute.  
24 ADA WILLS: Um, as--after the ERIW was  
25 deployed, um, how much time do you think passed

1 between the final ERIW that, uh, was deployed to  
2 when, uh, he got up and, uh, approached Sergeant  
3 Steger.

4 OFFICER PEREZ: Maybe like--5 seconds.  
5 Something like that.

6 ADA WILLS: Um. And how long do you think  
7 it was after, um, the shot from the service weapon  
8 were--were deployed? Did, uh, did it take for aid  
9 to be rendered?

10 OFFICER PEREZ: Hm. Maybe a minute.

11 ADA WILLS: And I think they may have asked  
12 this already so I apologize but at the time that  
13 Sergeant Steger fired his weapon, approximately how  
14 far would you say, uh, the suspect was, or the  
15 subject was, from Sergeant Steger?

16 OFFICER PEREZ: Um. When he fired?

17 ADA WILLS: Yes.

18 OFFICER PEREZ: Uh. Probably about 6 to 8  
19 feet, something like that.

20 ADA WILLS: And at any time, um, I'm just  
21 clarifying, you did not see, uh, Officer Mellone  
22 use his service weapon?

23 OFFICER PEREZ: I didn't.

24 ADA WILLS: Only the ERIW.

25 OFFICER PEREZ: Yeah, I didn't see him use his

1 service weapon.

2 ADA WILLS: So I think those are--those--  
3 those are the questions that I have but I think it  
4 would be actually helpful for us if you would be  
5 willing to make some notations on a--um--a  
6 satellite map, just to, uh, as to where people  
7 were. I think it would be, uh, it would help  
8 clarify.

9 SGT BONNER: Would you rather, uh, 'cause  
10 it--all kinds of--I always think it's a better  
11 reference, instead of taking a pictorial, that you  
12 actually have some kind of unscaled kind of map  
13 drawn. There's several depictions. I don't know  
14 what he's pulling off the computer 'cause--

15 POA ATTY REP BURRELL: Hm-hmm.

16 SGT BONNER: Better to--to--because I did--  
17 we did that basically we drew it out and they just  
18 put it in the--

19 POA ATTY REP BURRELL: Hm-hmm.

20 SGT BONNER: I can draw it out for you.

21 DAI JACKSON: Uh, that would be--I think that  
22 would be preferable.

23 SGT BONNER: Yeah.

24 ADA WILLS: Either way.

25 SGT BONNER: Or since scale--okay. I'm--I'm

1 a draw it out for you. I did it two times  
2 yesterday so--  
3 OFFICER PEREZ: You got it down.  
4 SGT BONNER: I have it down.  
5 SGT WATTS: All right.  
6 SGT BONNER: This is gonna be represented by  
7 the 400 block of Shotwell. This block right here.  
8 And since you've--I know you've probably passed  
9 this way--  
10 OFFICER PEREZ: Yeah.  
11 SGT BONNER: A--a ton of times.  
12 OFFICER PEREZ: Yeah.  
13 SGT BONNER: And this is gonna be 18th and  
14 19th. Is here. So this is gonna be southbound and  
15 northbound. You got that--  
16 OFFICER PEREZ: Got it.  
17 SGT BONNER: You got the orientation?  
18 OFFICER PEREZ: Yeah. Good.  
19 SGT BONNER: Okay. All right. So I'll just  
20 put an arrow--right here. So from being at the  
21 crime scene, to my recollection, everything took  
22 place right here. There's a--there's a reference--  
23 I'm a put a reference of--directly across the  
24 street as I remember it there's a unit [REDACTED] Shotwell  
25 and it's almost directly across the street from



1 where the incident took place. Is that--is that a-  
2 -

3 OFFICER PEREZ: Yeah.

4 SGT BONNER: Am I fairly correct?

5 SGT WATTS: [UNINTELLIGIBLE]

6 ADA WILLS: Yes.

7 SGT BONNER: So.

8 ADA WILLS: I can see.

9 SGT BONNER: I'm a--I'm a drawin' the  
10 sidewalk here. That represents the sidewalk. And  
11 then I'm a let you put in--put "P" for police and,  
12 uh, "S" for subject. And, uh, and then you--

13 ADA WILLS: Can you also, for me, um,  
14 Officer Perez, mark where the vehicle was that you  
15 were--

16 SGT BONNER: Yeah.

17 ADA WILLS: Behind. I think that--

18 SGT BONNER: That--that would help, too.

19 ADA WILLS: Help visualize a point of

20 [UNINTELLIGIBLE]--

21 SGT BONNER: The [UNINTELLIGIBLE]. Right.

22 Go ahead and draw in the--where you think the  
23 vehicles were and then draw in where you think  
24 everybody was standing and where you were standing  
25 in reference to that. It's--like I say, it's not

1 to scale.  
2 OFFICER PEREZ: Yeah.  
3 SGT BONNER: It's just, uh--uh, uh, a  
4 general--  
5 OFFICER PEREZ: Okay. Okay, um--  
6 SGT BONNER: Placement.  
7 OFFICER PEREZ: You want me to put the parked  
8 cars there, too?  
9 SGT BONNER: Yeah, yeah.  
10 SGT WATTS: If you could do a thing--can I  
11 put a cup in there so we can use it again.  
12 DAI JACKSON: Oh, before you--  
13 SGT WATTS: Uh--  
14 DAI JACKSON: If you--if you--  
15 SGT WATTS: Before we even on the other--as  
16 well.  
17 DAI JACKSON: Before he starts drawing.  
18 SGT WATTS: Is that okay?  
19 ADA WILLS: It--it's okay with me. But  
20 maybe we could do it bigger than on that little  
21 piece of paper. Oh, no!  
22 SGT WATTS: Oh, you can ex--you can copy it  
23 bigger. Um.  
24 OFFICER PEREZ: Yeah.  
25 ADA WILLS: Let's just do--

1 SGT WATTS: Okay.

2 SGT BONNER: Okay, well, well, you guys  
3 decide what you want to do. Whatever you--you  
4 think is comfortable.

5 MALE SPEAKER: You can--we're find with making  
6 a copy, so we can use it again. Uh--

7 MALE SPEAKER: Yeah, if you want it bigger,  
8 we'll get it bigger.

9 ADA WILLS: Sure. Uh, sure. Make a copy  
10 for us where--where it's not, um, um--

11 OFFICER PEREZ: Part the--

12 ADA WILLS: It hasn't been marked on yet so  
13 that it's--there's no--indication that he  
14 [UNINTELLIGIBLE]--

15 OFFICER PEREZ: Okay.

16 ADA WILLS: So--okay--but--I mean, I help  
17 but, uh, to--to--alter that diagram for anyone else  
18 to look.

19 OFFICER PEREZ: Oh.

20 SGT WATTS: You're workin' on that.

21 MALE SPEAKER: Okay.

22 ADA WILLS: I'm gonna use a diagram.

23 SGT WATTS: Okay. And they're tryin' to--

24 SGT BONNER: And see, that's what I'm  
25 sayin'. It's easier just to draw it out--

1 OFFICER PEREZ: It is. Yeah.

2 SGT BONNER: Not to scale and let him draw  
3 into it.

4 POA ATTY REP BURRELL: Yeah, that's fine. I  
5 guess Tony is not working on a job, was trying to  
6 do it and you got [UNINTELLIGIBLE]--

7 SGT BONNER: Yeah, 'cause if the pictorial  
8 stuff is--is--it throws things off. You get old  
9 Google pictures.

10 POA ATTY REP BURRELL: I know.

11 SGT BONNER: You get cars parked different  
12 ways.

13 POA ATTY REP BURRELL: Right.

14 SGT BONNER: Throws everything off.

15 DAI JACKSON: No, it was good, that--that  
16 actually when I looked at it but it's pretty--like,  
17 yay big.

18 SGT BONNER: Yeah. That--that--you gotta--

19 DAI JACKSON: You know, I don't have my  
20 glasses and I was just--[LAUGHTER]

21 SGT BONNER: You ever work in Contra Costa  
22 County, Counsel?

23 POA ATTY REP BURRELL: I do, yeah.

24 SGT BONNER: 'Cause your name is familiar  
25 and I--I can't--I don't know why.

1 POA ATTY REP BURRELL: Oh. Yeah.  
2 SGT BONNER: Okay.  
3 POA ATTY REP BURRELL: I get out to  
4 Martinez, sadly.  
5 ADA WILLS: It's a nice little city.  
6 POA ATTY REP BURRELL: I know but--  
7 [LAUGHTER] Only sad because I can't get there  
8 enough. [LAUGH]  
9 DAI JACKSON: I guess IO can ask you, is--is  
10 there anything that we've--that you think is  
11 relevant or that we didn't ask, that you think is  
12 relevant to this?  
13 OFFICER PEREZ: Um, as far as that I can add,  
14 no.  
15 SGT BONNER: Oh, I have a question.  
16 OFFICER PEREZ: Yeah.  
17 SGT BONNER: I have a question. Based on  
18 when you first arrived in the immediate area where  
19 all this was taking place, did you see any other  
20 civilians in the immediate area?  
21 OFFICER PEREZ: Yes. Yes, uh--directly behind  
22 Officer Mellone and Sergeant Steger, to the left,  
23 little further down, maybe--oh--20 yards or less,  
24 there was like homeless encampments. That's when  
25 the first one started. Then it was more. It went

1 down. So that--but I know for a fact there was an  
2 encampment there and there was people standing  
3 outside that saw what happened 'cause they were  
4 yellin' at first, like, you know, "Yeah, yeah, do  
5 that!" You know, some--something to the effect,  
6 "You guys leave him alone," or somethin' like that.  
7 You know. So I know that they saw but I--

8 SGT BONNER: And--and the HOT team, they  
9 were--closer to the--to 19th Street, up the block?  
10 Or were they--

11 OFFICER PEREZ: I didn't even--I didn't even  
12 see the HOT team.

13 SGT BONNER: Okay.

14 OFFICER PEREZ: Yeah.

15 DAI JACKSON: Let me ask you this because  
16 it's something that we--we noticed, um, on the  
17 video, that you--you see that, uh, female? That  
18 was like off to the side of the street?

19 OFFICER PEREZ: Um... When it happened?

20 DAI JACKSON: Yes. As everything was  
21 starting to happen. She was walking--and--and then  
22 I don't know San Francisco well enough but the--

23 SGT BONNER: I think she was walking  
24 northbound.

25 DAI JACKSON: North--

1 SGT BONNER: She was on a north--uh, on the  
2 west side of the street, walking northbound--  
3 OFFICER PEREZ: Oh, no, I didn't--  
4 SGT BONNER: But she--she--  
5 DAI JACKSON: You didn't notice hear?  
6 SGT BONNER: Yeah. And--  
7 DAI JACKSON: Okay, no, I--no, I--I know.  
8 Just wondered if you--if you--if you noticed--  
9 OFFICER PEREZ: No, I--  
10 DAI JACKSON: And maybe give a little  
11 [UNINTELLIGIBLE].  
12 ADA WILLS: And also just to clarify, too.  
13 Prior to our speaking with you, you have not had  
14 the opportunity to look at a--uh, a video.  
15 OFFICER PEREZ: Yeah.  
16 ADA WILLS: Is that right?  
17 OFFICER PEREZ: Yeah.  
18 ADA WILLS: Okay.  
19 OFFICER PEREZ: Okay.  
20 POA ATTY REP BURRELL: What are you guys  
21 wanting to--  
22 SGT BONNER: Uh, just based on--this is not  
23 to scale and I--and I--and I'll clean it up  
24 afterward, but not to scale and--  
25 OFFICER PEREZ: Okay.

1 SGT BONNER: Whole nine yards. Um, and  
2 this is--let me put one more notation on this for  
3 you. This is the 400 block of Shotwell.  
4 OFFICER PEREZ: Okay.  
5 SGT BONNER: This is where I believe it took  
6 place and you agree?  
7 OFFICER PEREZ: Yeah.  
8 SGT BONNER: This is not to scale so just  
9 give an orientation of where you think the cars--  
10 the--the patrol car, uh, vehicles were in the block  
11 and where each person as you remember it was stand-  
12 -general area where they were standing when this  
13 took place, including the, uh--subject.  
14 OFFICER PEREZ: Okay. Um.  
15 SGT BONNER: And if you want to draw in the  
16 building line--  
17 OFFICER PEREZ: Okay.  
18 SGT BONNER: Uh, on the [UNINTELLIGIBLE]  
19 side, that--that's fine.  
20 OFFICER PEREZ: Okay, so I, no, this is like,  
21 um, a driveway to like PG&E. They--they go in and  
22 out of this place. And the subject was--should I  
23 put "S" for him?  
24 SGT WATTS: Hm-hmm.  
25 SGT BONNER: Yes.



1 OFFICER PEREZ: He was seated right here up  
2 against that--wall right there. Um. Officer  
3 Mellone was there. Um. Sergeant Steger was here.  
4 I was over here. Um. And there was parked cars  
5 there. You know. Like that. Um. I think a  
6 police car was here. Another police car was there.  
7 And mine's--mine was the last one. So, yeah, just--  
8 -I parked here behind them and I just walked up  
9 here and everything kind of just transpired as I  
10 was walking up that--

11 SGT BONNER: So put something that, you  
12 know, would indicate where you were generally  
13 standing while you were watching things take place.

14 OFFICER PEREZ: Right here? This--

15 SGT WATTS: That's [UNINTELLIGIBLE].

16 SGT BONNER: Oh, okay.

17 OFFICER PEREZ: Like that.

18 SGT BONNER: Fine. There you go.

19 OFFICER PEREZ: That me. Um. And that's my  
20 car.

21 SGT BONNER: Okay.

22 OFFICER PEREZ: So, yes, I mean, I--I was--as I  
23 walkin' up, I had a clear view right here and then  
24 that's kind of where I saw it might have been.  
25 Little better--

1 SGT WATTS: It's relative.  
2 OFFICER PEREZ: Yes. Approximately there.  
3 SGT BONNER: It's--it's an approximate.  
4 OFFICER PEREZ: Yes. Yeah, it's a--  
5 SGT BONNER: I mean, not--[UNINTELLIGIBLE]  
6 OFFICER PEREZ: It's a better angle than that  
7 but, yeah.  
8 SGT BONNER: Yeah.  
9 SGT WATTS: Okay.  
10 OFFICER PEREZ: So that's--that's how I was  
11 able to see everything and hear everything and--you  
12 know. That's--I ended up over here behind Sergeant  
13 Steger.  
14 SGT WATTS: Can you just sign this? Just  
15 put your star number on there.  
16 ADA WILLS: And, Officer Perez, for--for my  
17 benefit that--the very narrow part where you put  
18 everything is--that's--  
19 OFFICER PEREZ: That's the sidewalk.  
20 ADA WILLS: Indicating the sidewalk.  
21 OFFICER PEREZ: The sidewalk.  
22 ADA WILLS: Itself, okay.  
23 SGT BONNER: Yeah, I have a sidewalk which  
24 called the--and you know what? If you can, and  
25 because I know it's gonna be--uh, which officer--

1    which officer, could you draw a line from the "P"  
2    and just write the name of the officer--  
3           SGT WATTS:       Just put the initial.  
4           OFFICER PEREZ: Okay.  
5           SGT BONNER:     With the initial.  
6           OFFICER PEREZ: Okay.   So just put Sergeant  
7    here.  
8           SGT WATTS:       Hm-hmm.  
9           SGT BONNER:     Yeah.  
10          OFFICER PEREZ: And what's--I think it's Mike  
11    Mellone?   I don't remember the name.  
12          SGT WATTS:       Hm.   That's fine.  
13          SGT BONNER:     That's fine.  
14          OFFICER PEREZ: Okay.   And this is me.   So.  
15          SGT WATTS:       Yes.  
16          SGT BONNER:     That'll work.   Okay.   That  
17    work?  
18          SGT WATTS:       Of course.  
19          SGT BONNER:     Okay.  
20          MALE SPEAKER:   Beautiful.  
21          SGT WATTS:       Why don't you just put a line  
22    through just say--[UNINTELLIGIBLE]  
23          OFFICER PEREZ: Oh, about me.   I put--okay.  
24          SGT WATTS:       All right.   Thank you.  
25          SGT BONNER:     Good.

1 SGT WATTS: Have anything else?  
2 SGT BONNER: Yeah, no.  
3 ADA WILLS: Not at this time.  
4 SGT BONNER: Uh, let's go with 10:30.  
5 Approximately. That concludes this interview.  
6 SGT WATTS: Thank you.  
7 **END OF DOCUMENT**